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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,649	04/10/2001	Dirk Saas	SAAS-1	9203

7590 12/17/2002
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, NY 11576

EXAMINER

WEEKS, GLORIA R

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 12/17/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,649

Applicant(s)

SAAS, DIRK

Examiner

Gloria R Weeks

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to applicants' response received on October 5, 2002.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fowler et al. (USPN 5,795,280) in view of Stitcher (USPN 4,726,804)

In reference to claim 1, Fowler et al. discloses a method for producing letter envelopes from a moving web (12) of material in an envelope producing machine comprising the steps of: applying printed images (13) to the web (12; column 6, lines 24-28); cutting the web (12) to form at least one blank of a selected size with a printed image (13; column 6, lines 20-24); removing one of the blanks (15) from the machine; determining the actual spacing of the printed image (13) on the blanks (15) from a reference edge (14) of the blank (15); computing the difference between the determined actual spacing of the printed image (13) from the reference edge (14) and a preset nominal spacing of the printed image (13) from the reference edge (14); and inputting the difference between the actual and the nominal spacing in a controller (110, 100) as a corrective value (column 6, lines 64-67; column 7, lines 1-12; column 8, lines 16-24). Fowler does not disclose the removed blank as the blank which is scanned for referencing the image printed on the blank, however discloses the blank being scanned while still attached to the

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continuous web in the machine. Stitcher teaches a method of producing letter envelopes from a moving web of material (10) wherein a sensor means is used to determine proper placement of a printed image on the envelope, as the envelope is being removed from the machine. It would have been obvious to one having ordinary skill in the art at the time the invention was made to place the sensor means for determining the reference edge of the printed image on the envelope at various locations in or outside of the machine as taught by Stitcher and Fowler et al., who disclose sensor means in various locations.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fowler et al. (USPN 5,795,280) and Ruthenberg et al. (USPN 6,059,705) .

Regarding claim 2, Fowler et al. discloses a method for positioning a sequence of printed images (13) in correct positions in relation to a reference edge (14) of an envelope blank cut to a selected size following a printing process by shaping and severing sections of an envelope producing machine comprising the steps of: printing images on a moving web (12) of material (column 6, lines 24-28); moving the material web (12) through shaping and severing sections of the machine to form envelope blanks cut to a selected size; removing one of the imprinted blanks (15) cut to a selected size from the machine; determining the actual spacing of the printed image (13) from a reference edge (14) within the blank (15); computing the difference between the determined actual spacing and preset spacing value; and inputting the difference as a corrective value into control electronics of the machine value (column 6, lines 32-38; column 8, lines 17-24). Fowler et al. does not disclose manually inputting the difference of the corrective value of the spacing and the actual value, however, it is well known in the art that an automatic function can be done manually. Ruthenberg et al. teaches a method of positioning a sequence of printed

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images in correct positions wherein a corrective value can be manually input into the control system of the apparatus used to perform the method (abstract). Therefore, Examiners prior contention that it would have been obvious to Fowler et al. at the time the invention was made to modify the automatic inputting of the difference of the actual spacing and the preset spacing value into the electronic control of the machine, by manually inputting the value difference is supported by Ruthenberg et al..

Response to Arguments

5. Applicant's arguments with respect to claims 1-2 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

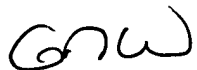
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to attachment for notice of references cited and recommended for consideration.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gloria R Weeks whose telephone number is (703) 605-4211. The examiner can normally be reached on 9:30 am - 8:00 pm Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I Rada can be reached on (703) 305-2187. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7769 for regular communications and (703) 308-7769 for After Final communications.

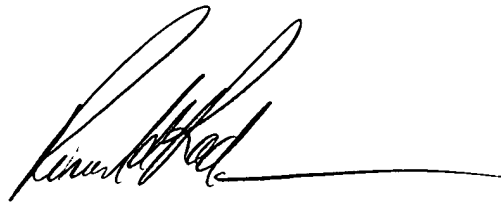
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1789.



grw
December 12, 2002

Gloria R Weeks
Examiner
Art Unit 3721



Rinaldi I. Rada
Supervisory Patent Examiner
Group 3700